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July 28, 2011

ELECTRONICALLY FILED

The Honorable Joanna Seybert
United States District Court Judge
United States District Court for the Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: *Toussie et al. v. County of Suffolk et al.*,
Docket Nos. CV-01-6716, CV-05-1814 (JS) (ARL)

Dear Judge Seybert:

We represent the plaintiffs in the above-referenced action. Plaintiffs intend to call Ginny Fields as a witness at trial. See Joint Pretrial Order (Docket No. 224). As set forth in the Affidavit of Service of Sue Cortina (the "Cortina Affidavit"), beginning on June 23, 2011, we have made not less than 22 good faith attempts to serve Ginny Fields with a subpoena to appear and testify at trial. A true and correct copy of the Cortina Affidavit is attached hereto as Exhibit A. We have made 20 attempts at her home, located at 21 E. Shore Road, Oakdale, New York. We have also attempted to serve Ms. Fields at a campaign office, located at 925 Montauk Highway, Oakdale, New York, where Ms. Fields periodically works. The details of our diligent attempts at service, including interactions with Ms. Fields' adult son and husband, are set forth in the Cortina Affidavit.

Based on the foregoing, we respectfully request that the Court deem Ginny Fields to have been served, or in the alternative, deem it acceptable to serve Ginny Fields by way of leaving the subpoena at her home address.

Should Your Honor require any further information, please let us know.

Respectfully submitted,

s/ Scott S. Balber

Scott S. Balber
Abbe D. Lowell

Attachment

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